

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MEL TYRONE EDWARD,

Plaintiff,

No. 2:03-cv-02584 ALA (P)

vs.

STEPHEN SCARSELLA,

Defendant.

ORDER

On January 2, 2008, Defendant Stephen Scarsella filed an ex parte motion for continuance of the trial date set for June 17, 2008. (Doc. 138). In light of the Court's subsequently issued revised scheduling order, filed on July 3, 2008 (Doc. No. 194), setting the trial date for December 1, 2008, Defendant's motion is DENIED as moot.

Based on the foregoing it is hereby ORDERED that Defendant's motion for a continuance, filed January 2, 2008, (Doc. 138) is DENIED as moot.

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DATED: August 8, 2008

/s/ Arthur L. Alarcón
UNITED STATES CIRCUIT JUDGE
Sitting by Designation